

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JERRY EMMANUEL WHITE,

Petitioner,

Case No. 3:04-CV-0412-RCJ-RAM

vs.

MINUTES OF THE COURT

E.K. McDANIEL, et al.,

DATE: January 31, 2006

Respondents. /

PRESENT:

THE HONORABLE: ROBERT A. MCQUAID, JR **UNITED STATES MAGISTRATE JUDGE**

DEPUTY CLERK: L. M. STORY **REPORTER:** NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS: XXX

Petitioner moves the Court for leave to respond to the Reply to the Opposition to the Motion to Dismiss in this action, noting that respondents have raised a procedural bar defense in the reply that was not raised in the motion to dismiss. Petitioner also advises that this motion is unopposed by respondents. Good cause appearing,

IT IS THEREFORE **ORDERED** that the motion (docket #41) is **granted**. The petitioner shall have until March 1, 2006 to file a response to the procedural default arguments raised by respondents. The matter shall then be submitted for the Court's consideration.

LANCE S. WILSON, CLERK

By: /s/ Lori M. Story
Deputy Clerk